



Atty. Dkt. No. 047711-0216

3742/A
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ronald J. Lebel et al.

Title: AMBULATORY MEDICAL
APPARATUS AND METHOD
USING A ROBUST
COMMUNICATION
PROTOCOL

Appl. No.: 09/768,043

Filing Date: 01/22/2001

Examiner: Daniel Leon Robinson

Art Unit: 3742

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TECHNOLOGY CENTER R3700

CERTIFICATE OF MAILING

Mail Stop NON-FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

I hereby certify that the following paper(s) and/or fee along with any attachments referred to or identified as being attached or enclosed are being deposited with the United States Postal Service as First Class Mail under 37 C.F.R. § 1.8(a) on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450.

1. Amendment Transmittal Letter
2. Amendment and Response to Restriction Requirement dated September 5, 2003
3. Check No. 797785 (\$110) for extension of time
4. Postcard

Respectfully submitted,

By

Irvin C. Harrington, III
Attorney for Applicant
Registration No. 44,740

Date October 17, 2003

FOLEY & LARDNER
Customer Number: 23392
Telephone: (310) 975-7963
Facsimile: (310) 557-8475



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AMENDMENT TRANSMITTAL

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PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

[] Assertion of Small Entity status is enclosed.

[X] The fee required for additional claims is calculated below:

	Claims As Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	42	<input type="checkbox"/>	42	= 0 x \$18.00 =	\$0.00
Independents:	2	<input type="checkbox"/>	2	= 0 x \$86.00 =	\$0.00
First presentation of any Multiple Dependent				+ \$290.00 =	\$0.00

Claims:

CLAIMS FEE TOTAL: = \$0.00

- [] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

Extension for response filed within the first [X] month:	\$110.00	<u><u>\$110.00</u></u>
Extension for response filed within the second [] month:	\$420.00	<u><u>\$0.00</u></u>
Extension for response filed within the third [] month:	\$950.00	<u><u>\$0.00</u></u>
Extension for response filed within the fourth [] month:	\$1,480.00	<u><u>\$0.00</u></u>
Extension for response filed within the fifth [] month:	\$2,010.00	<u><u>\$0.00</u></u>
	EXTENSION FEE TOTAL:	<u><u>\$0.00</u></u>
Statutory Disclaimer Fee under 37 C.F.R. [] 1.20(d):	\$110.00	<u><u>\$0.00</u></u>
	CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:	<u><u>\$110.00</u></u>
[] Small Entity Fees Apply (subtract ½ of above):		<u><u>\$0.00</u></u>
	TOTAL FEE:	<u><u>\$110.00</u></u>

- [] Please charge Deposit Account No. 50-0872 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.

- [] A check in the amount of \$0.00 is enclosed.

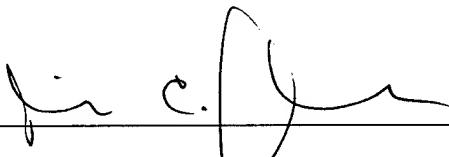
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any

extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

By



Irvin C. Harrington, III
Attorney for Applicant
Registration No. 44,740

Date October 17, 2003

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AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

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PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

This communication is responsive to the Non-Final Office Action dated September 5, 2003, concerning the above-referenced patent application.

Amendments to the Specification begin on page 2 of this document.

Amendments to the Claims are reflected in the listing of claims which begins on page 6 of this document.

Remarks/Arguments begin on page 13 of this document.

Please amend the application as follows:

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